



**City Of Kingston
Planning Committee
Meeting Number 01-2019
Agenda
Thursday December 13, 2018 at 6:30 p.m.
Council Chamber, City Hall**

Please provide regrets to Derek Ochej, Committee Clerk at 613-546-4291, extension 1219 or dochej@cityofkingston.ca

Committee Composition

Councillor Chapelle

Councillor Hill

Councillor Hutchison

Councillor Kiley

Councillor Neill

Councillor Osanic

Planning Committee Meeting Number 01-2019 Agenda
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Public Meeting Introduction

“NOTICE OF COLLECTION – Personal information collected as a result of this public hearing and on the forms provided at the back of the room is collected under the authority of the *Planning Act* and will be used to assist in making a decision on this matter. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to the Director of Planning and Development.

The purpose of public meetings is to present planning applications in a public forum as required by The Planning Act. Following presentations by the applicant, Committee members will be afforded an opportunity to ask questions for clarification or further information. The meeting will then be opened to the public for comments and questions. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion.

An exception to this rule is combined reports, which consolidates the Public Meeting & Comprehensive Reports. These applications are deemed by staff as straight forward and routine. This business practice has been in place for a number of years and is received by the applicants as efficient customer service and effective use of committee time. Please note that staff use discretion in determining if an application can be a **Combined Public Meeting/Comprehensive Report** to expedite the approval process.

Public meeting reports are provided to inform the public of all relevant information. Information gathered is then referred back to Planning and Development Staff for the preparation of a comprehensive report and recommendation to Planning Committee. This means that after the meeting tonight, staff will be considering the comments made by the public in their further review of the applications.

When this review is completed, a report will be prepared making a recommendation for action to this Committee. The recommendation is typically to approve (with conditions) or to deny. This Committee then makes a recommendation on the applications to City Council. **City Council has the final say on the applications from the City’s perspective.**

Following Council decision notice will be circulated in accordance with the Planning Act. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision.

Planning Committee Meeting Number 01-2019 Agenda
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Public Meeting
Held Pursuant to the Planning Act
6:30 p.m.
Zoning By-Law Amendment

The following is a Public Meeting report to the Planning Committee regarding an application for a zoning by-law amendment submitted by Eric Trought on behalf of Bakhsh Mirza, with respect to the subject site located at 330 Division Street. This report describes the proposed application and includes an overview of the relevant policies and regulations that will be evaluated as part of a future comprehensive report.

The applicant is proposing to amend Zoning By-Law Number 8499 to convert an existing ground floor commercial retail use in an existing mixed use building to a residential unit resulting in a two-unit residential building. A new second storey addition over an existing one-storey addition is being proposed to accommodate an expansion of the existing residential unit on the second floor. The ground floor unit is proposed to contain five bedrooms and a den which will be considered a sixth bedroom for the purposes of zoning. The second floor unit is proposed to contain six bedrooms; however, there are two living rooms shown on the submitted plans, one of which could at some point be converted to a seventh bedroom for a total of up to thirteen bedrooms in the structure, a net increase of up to 10 bedrooms over the existing 3 bedrooms on the subject property. An amendment is required for the minimum lot area required per unit, which is proposed to be reduced from the required 740 square metres for two units to 438 square metres for two units. In addition to the lot area for the second residential unit, relief from a number of performance standards for the existing building, the proposed addition and the subject site is being sought to allow the proposed development to proceed, including minimum front yard setback, maximum percentage of lot coverage, maximum building height, maximum building depth, minimum percentage of landscaped open space and maximum area permitted for uncovered parking.

File Number: D14-029-2018
Address: 330 Division Street
Application Type: Zoning By-Law Amendment
Owner: Bakhsh Mirza
Applicant: Eric Trought
(See Report PC-19-001)
(Schedule Pages 1 – 37)

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Regular Planning Committee Meeting Number 01-2019

Elections of Officers

Note: The Election of Officers will occur prior to the Public Meeting.

Meeting to Order

Approval of the Agenda

Confirmation of Minutes

- a) **That** the minutes of Planning Committee Meeting Number 21-2018, held Thursday November 15, be confirmed.

(Distributed December 7, 2018)

Disclosure of Pecuniary Interest

Delegations

Briefings

Business

This portion of the meeting is open to the public. The City has initiated a new process in which members of the public will have the opportunity to speak, for up to five minutes, on comprehensive reports presented before the Planning Committee. Those wishing to provide oral comments at this meeting will be invited to do so. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of Kingston to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Kingston before the by-law is passed, the person or public body is not entitled to appeal the decision.

- a) **File Number: D14-030-2018**
Application Type: Zoning By-Law Amendment
Address: Temporary Use By-Law to Permit Surface Parking Facilities within the Williamsville Main Street Commercial Zone
Owner/Applicant: The City of Kingston

The Report of the Commissioner of Community Services (PC-19-003) is attached.

Schedule Pages 38 – 54

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To learn more about this application, visit [DASH](#) and search the property address or file number.

Recommendation:

That the following recommendation be approved and forwarded to Council on December 18, 2018 for consideration:

That it be recommended to Council that the application for a zoning by-law amendment (File Number D14-030-2018) submitted by the City of Kingston, on behalf of the City of Kingston, for a Temporary Use By-Law to Permit Surface Parking Facilities within the Williamsville Main Street Commercial Zone, be approved; and

That By-Law Number 8499, entitled "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as amended, be further amended, as per Exhibit A (Draft By-Law to Amend Zoning By-Law Number 8499) to Report Number PC-19-003; and

That Council determines that in accordance with Section 34(17) of the *Planning Act*, no further notice is required prior to the passage of the by-law; and

That the amending by-law be presented to Council for all three readings.

b) Additional Opportunities for Public Participation in the Planning Approvals Process

The Report of the Commissioner of Community Services (PC-19-004) is attached.

Schedule Pages 55 – 65

Recommendation:

That the following recommendation be approved and forwarded to Council on December 18, 2018 for consideration:

That it be recommended to Council that an open house event be added to the public consultation process for complex *Planning Act* applications that are presented at Planning Committee meetings, to be determined by Planning Division staff on a case-by-case basis; and

That the open house approach for complex *Planning Act* applications, as described in Report Number PC-19-004, take effect on January 1, 2019.

Motions

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Notices of Motion

Other Business

Correspondence

Date and Time of Next Meeting

The next meeting of the Planning Committee is scheduled for January 10, 2019 at 6:30 p.m. at City Hall.

Adjournment

1. Approved Site Plan Items:

2. Applications Appealed To Local Planning Appeal Tribunal:

D11-322-2010 – 495-513 Frontenac Street – Hearing scheduled January 10, 2019.

D14-122-2015 – IN8 (The Capitol) Development Inc. - 223 Princess Street – Decision Issued. Subject to Leave to Appeal to the Divisional Court. D09-039-2015 & D14-146-2015 – Homestead Land Holding Limited – 51-57 Queen St. & 18 Queen St. & 282 Ontario Street - Appeals Submitted to the OMB. Hearing Scheduled for February 4 – 8 & 11 – 15, 2019.

D09-005-2013 & D14-248-2013 – Homestead Land Holding Limited – 48A Point St. Mark Drive – Hearing Scheduled for April 15-18 & 23-25, 2019.

D14-032-2017 – Samantha Wasserman & Jacqueline Shinfield – 268 Victoria Street – Hearing deferred

D35-005-2016 – 605 Princess Street Ltd. – 575-611 Princess Street & 510 Frontenac Street – Awaiting decision on motion regarding validity of appeal

3. Links to Land Use Planning Documents:

Planning Act: <https://www.ontario.ca/laws/statute/90p13>

Provincial Policy Statement: <http://www.mah.gov.on.ca/Page1485.aspx>

City of Kingston Official Plan: <http://www.cityofkingston.ca/business/planning-and-development/official-plan>

City of Kingston Zoning By-Laws: <https://www.cityofkingston.ca/business/planning-and-development/zoning>

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
1	ZBA	Jay Patry	203-205 Colborne Street.	D14-195-2010	To permit 5 existing dwelling units through a reduction in vehicular parking and a reduction in bicycle parking dimensions and location.	Deemed complete 6-Feb-2012	Public Meeting on Mar 1/12 2nd Public held on Meeting on Aug 29/17	Lindsay Lambert extension 2176
2	OPA & ZBA	Homestead Land Holdings	50 Newcourt Place.	D09-067-2012 & D14-248-2012	13 Storey apartment building with 99 dwelling units	Deemed complete 7-June-2012	Waiting for revised submission since Aug 17/12.	Marnie Venditti extension 3256
3	OPA/ZBA	Homestead Land Holdings Ltd.	48A Point St. Mark Drive.	D09-005-2013 & D14-012-2013	7 storey, 95 unit building	Deemed complete 4-Mar-2013	LPAT Hearing scheduled for April 15-18 & 23-25, 2019	Lindsay Lambert extension 2176
4	ZBA	Doreta Apparel Shop Limited	394-396 Princess St. & 155 Division Street.	D14-027-2013	To permit additional storeys and additional residential units.	Deemed complete 7-May-2013	Public Meeting held on June 20/13. Application placed on hold by applicant.	Lindsay Lambert extension 2176
5	ZBA/ Draft Plan	1829871 Ontario Limited	655 Graceland Avenue.	D12-010-2013 & D14-041-2013	A proposed residential subdivision consisting of 45 single detached dwelling lots, one park block, one walkway and one storm water management pond.	Deemed complete 12-Sept-13	2nd Public Meeting held on April 6/17	Lindsay Lambert extension 2176

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
6	OPA/ZBA	Cruickshank Properties Corp.	Unity Road, Elginburg	D09-025-2014 D14-102-2014	OPA and ZBA to change the designation of the properties to 'Mineral Resource Area – Quarry' and Zoning By-law Amendment to rezone portions of the properties to Special Extractive Industrial 'M5' Zone and Special Open Space 'OS' Zone to permit new quarry operations at 2489-2505 Unity Road and to amend the existing 'Mineral Resource Area – Quarry' designation and the provisions of the existing Special Extractive Industrial 'M5-1' Zone in former Township of Kingston Zoning By-law Number 76-26 to reduce the setbacks for the existing quarry operation at 2357 Unity Road.	Deemed complete on January 9, 2015	2nd Public Meeting Held on June 18/15 Going to a 3rd Public Meeting on Thur Mar 22/18 Appealed to OMB	Chris Wicke extension 3242
7	OPA/ZBA	Kingston Creekford Holdings	2685 Creekford Road	D09-029-2015 D14-117-2015	To permit the development of a gas station and Business Park uses.	Deemed complete Mar 30/15	Public Meeting held on May 21/15	Lindsay Lambert extension 2176
8	ZBA	Podium Developments	235, 243 Colborne Street, 60 and 62 Elm Street	D14-114-2015	To permit the development of two multiple family dwellings, with 8 and 16 units respectively. Zoning relief is requested.	Deemed complete Mar 20/15	Public Meeting held on May 21/15	Jason Sands extension 3277
9	ZBA	IN8 (The Capitol) Developments Inc.	223 Princess Street	D14-122-2015	To permit a mixed use development with 16 storeys, 212 residential units and parking in a parking structure located along Queen Street frontage, below and above grade. The proposed development includes the conservation of the Princess Street façade of the former theatre.	Deemed complete on May 26/15	Awaiting Decision from LPAT	Lindsay Lambert extension 2176

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#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
10	OPA/ZBA	Homestead Land Holding Limited	51-57 Queen St. & 18 Queen St. & 282 Ontario St.	D09-039-2015 D14-146-2015	Two 21 storey buildings, both with a podium and tower design, containing a total of 380 residential units, a municipal parking garage and commercial space	Deemed complete on Nov 27/15	Public Meeting held on Feb 18/16 2nd Public Meeting Non-Statutory held on Aug 3/17 Appealed to the OMB	Jason Sands extension 3277
11	OPA	City of Kingston	City-wide	D09-037-2015	Five Year Review of the Official Plan		Approved by the Ministry of Municipal Affairs on Aug 8/17. Appealed to the OMB. Prehearing Nov 23/17	Greg Newman extension 3289
12	ZBA	McIntosh Perry Consultants	3697 Hwy 2 E.	D14-015-2016	Proposed Zoning By-Law Amendment to permit 6 lots (3 existing lots, 3 new lots) serviced by private well and septic systems	Deemed complete on April 13/16	Public Meeting held on June 9/16	Sajid Sifat extension 3126
13	OPA/ZBA	Podium Developments	575-611 Princess St, 505-513 Albert St., 510 Frontenac St., 576-600 Princess St. & 465 Albert St.	D35-005-2016	11 storey mixed use (456 dwelling unit and 1,500 m2 commercial) and surface parking lot south of Princess St.		Went to Council on June 26/18 Appealed to LPAT	Jason Sands extension 3277
14	ZBA	Clark Consulting Services	1821 Bur Brook Rd.	D14-037-2016			Public Meeting held on Dec 1/16 2nd Public Meeting held on Oct 5/17 Regular Meeting held on June 21/18 Went to Council on Aug 7th and was Denied at Council. Appealed to LPAT	Chris Wicke extension 3242

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
15	OPA/ZBA	IBI Group	5 Lower Union Street & 55 Ontario Street	D35-003-2017			Public Meeting held on Sept 21/17 Appealed to LPAT.	Lindsay Lambert extension 2176
16	OPA/ZBA	Louis Martin	2917 Princess Street	D35-003-2016			Public Meeting held on Sept 21/17	Lindsay Lambert extension 2176
17	ZBA	Samantha Wasserman	268 Victoria Street	D14-032-2017	The site is currently developed with a 2.5 storey, single detached dwelling and a detached garage. The overall development plan includes severing the subject property, maintaining the existing dwelling and garage on the proposed retained parcel and develop a 2.5 storey, semi-detached dwelling on the proposed severed parcel. The proposed severed parcel would front onto Earl Street and be accessed with two driveways.	Deemed complete on September 13, 2017	Public Meeting held on Nov 2/17 Regular Meeting held scheduled for March 22, 2018 Went to Council on April 3/18 Denied by Council Appealed to LPAT	Jason Sands extension 3277
18	OPA/ZBA/DPS CIP Amendment	Jay Patry Enterprises	2 River Street & 50 Orchard Street	D35-009-2017 & D09-005-2018	To subdivide the subject lands and develop four (4) six-storey buildings with a total of 1509 residential units and 4,961 square metres of ground floor commercial area with a boathouse located on the water lot. The CIP Amendment is to create a special project area in the Brownfields CIP that will allow eligibility for additional financial incentives and to extend time frames to accept applications.	Deemed complete on January 22, 2018 (OPA/ZBA/DPS) and on February 5, 2018 (CIP amendment)	Public Meeting held on March 8/18	Andrea Furniss extension 3219
19	ZBA	IBI Group	190 / 198 Resource Road	D14-043-2017	ZBA to amend Zoning By-law Number 76-26 to permit the construction of 3 buildings that will accommodate a range of employment uses including business park uses and professional office space on the 1.6 hectare parcel.	Deemed complete on January 18, 2018		Jason Sands extension 3277

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
20	ZBA	Barriefield Limited Partnership & Fotenn Consultants Inc.	411 Wellington Street	D14-003-2018	ZBA to permit residential and accessory uses as well as to obtain relief from various zone provisions to facilitate the development of a three-storey retirement residence and stacked row dwelling houses.	Deemed complete on February 13, 2018	Public Meeting held on April 5/18	Andrea Furniss extension 3219
21	OPA/ZBA	RAW Design Inc.	305 & 323 Rideau Street	D35-008-2017	OPA/ZBA to facilitate the redevelopment of the former Bailey Broom Factory structure and construct 9 residential townhomes on the northern vacant parcel.	Deemed complete on April 9, 2018	Public Meeting held on May 17, 2018	Jason Sands extension 3277
22	OPA/ZBA	City of Kingston	City-wide	D35-003-2018	OPA and ZBA to broaden permissions related to second residential units. Second units are proposed to be permitted across the City within single-detached, semi-detached, linked and row house dwellings, as well as in accessory structures, with limitations in specifically identified servicing constraint areas. Associated policies and zone provisions are proposed to regulate second units.	Deemed complete on June 5, 2018.	Public Meeting held on July 5, 2018	Andrea Furniss extension 3219
23	ZBA	R. Paul Martin Construction	2880 Princess Street	D14-013-2018	The applicant is proposing to develop 10, 12 storey (36.6 metres) residential apartment buildings on the subject property. Four (4) of the proposed buildings are to be located on the southern portion of the site (between Princess Street and the existing self-storage buildings) while the other six (6) buildings are proposed to be located on the northern portion of the site (between Catarauqui Woods Drive and the existing self-storage buildings). The existing self-storage buildings are to be retained. Each proposed residential building is to contain 118 dwelling units, a total of 1180 residential dwelling units are proposed on the subject property.	Deemed complete on June 15, 2018		Jason Sands extension 3277

Applications Received/In Process								
#	Application Type	Applicant	Civic Address	File Numbers	Proposal	Date that Application was deemed complete	Status	Planner/Contact
24	ZBA	City of Kingston and Ventin Architects Group	15 Grenadier Drive	D14-026-2018	Proposed Zoning By-law Amendment to facilitate the Kingston East Community Centre on the subject property including the establishment of a use-specific parking rate and permission for accessory uses such as drop-in day care and fitness facilities.	Deemed complete on August 28, 2018	Public Meeting held on October 4, 2018	Lindsay Lambert extension 2176
25	ZBA	AECOM	1020-1044 Lancaster Drive	D14-024-2018			Public Meeting held on Nov 1/18	James Bar extension 3213
26	ZBA	V. Marques Construction	152 Greenlees Drive	D14-028-2018			Public Meeting held on Nov 15/18	Sajid Sifat extension 3126
27	CIP	Siderius Developments Ltd.	40 Sir John A. Macdonald Boulevard	D09-007-2018			Public Meeting held on Nov 15/18	Lindsay Lambert extension 2176
28	ZBA	E.R. Trought Designs	330 Division Street	D14-029-2018			Going to Public Meeting on Dec 13/18	Chris Wicke extension 3242